

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHIGAN ELECTRICAL EMPLOYEES' PENSION  
FUND, Trustees of; MICHIGAN ELECTRICAL  
EMPLOYEES HEALTH PLAN, Trustees of;  
NATIONAL ELECTRICAL BENEFIT FUND, Trustees of;  
NATIONAL ELECTRICAL ANNUITY FUND, Trustees of;  
WEST MICHIGAN ELECTRICAL JOINT APPRENTICESHIP  
AND TRAINING COMMITTEE TRUST, Trustees of; and  
WEST MICHIGAN LABOR-MANAGEMENT COOPERATION  
FUND, Trustees of,

Plaintiffs,

Case No. 08-CV-1078

Hon. Robert Jonker

v.

AKTION ELECTRICAL CONTRACTING LLC and  
ROBERT BAKER,

Defendants.

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**AFFIDAVIT FOR ENTRY OF DEFAULT  
AGAINST DEFENDANT ROBERT BAKER**

HOPE L. CALATI, being duly sworn, deposes and states:

1. I am one of the attorneys for plaintiffs in the above-captioned action.
2. Defendant ROBERT BAKER was properly served with the Summons and Complaint by certified mail, return receipt requested, delivery restricted to addressee, sent to 3653 W. River Road, Muskegon, 49445, under the provisions of MCR 2.105(A)(2), for service on an individual, which rule is incorporated into the Federal Rules of Civil Procedure at Fed.R.Civ.P. 4(e)(1). ROBERT BAKER received the Summons and Complaint on December 17, 2008.
3. I certified that fact to this Court the in Return of Service that was electronically filed with the Court on December 20, 2008.

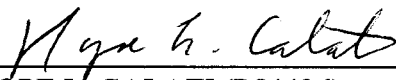
4. Defendant ROBERT BAKER has failed to answer or otherwise move in response to the Complaint.

5. Under Rule 12(a)(1)(A) of the Federal Rules of Civil Procedure, the time within which defendant ROBERT BAKER may answer or otherwise move in response to the Complaint has expired.

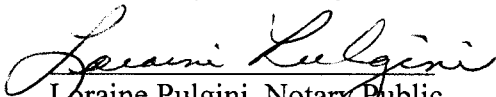
6. The time for defendant ROBERT BAKER to answer or otherwise move in response to the Complaint has not been extended.

7. I have spoken with ROBERT BAKER on the telephone, most recently on December 12, 2008. Upon information and belief is not an infant, an incompetent person or in military service.

8. I am more than twenty-one years of age, am competent to testify and would, if called, testify to the above-stated matters from personal knowledge.

BY:   
HOPE L. CALATI (P54426)  
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Subscribed and sworn to me  
this 22<sup>nd</sup> day of January, 2009

  
Loraine Pulgini, Notary Public  
Macomb County, Acting in Wayne County  
My commission expires March 25, 2012